

January 7, 2021 Zoning Board Meeting Minutes

1. Attendance
 - a. Joanne Redding—Absent
 - b. Al Champion—Present
 - c. George Seymour—Present
 - d. Mike Brille—Present
 - e. Harry Kramer—Present
 - f. Tom Panzer—Present
 - g. Ken Farrell—Present
 - h. Kim Birshner—Present
 - i. Nicole Hartman—Present
2. Opening of Meeting
 - a. Pledge of Allegiance
 - i. Lead by Al Champion
3. Statement of Rules of Procedures
 - a. Waived by Tom Panzer, Esquire
4. Approval of December Zoning Board Meeting Minutes
 - a. Motion to Approve
 - i. Harry Kramer
 - b. Second Motion to Approve
 - i. Mike Brille
 - c. Approval of Minutes
 - i. 4/4 Ayes
5. Reorganization of the Board
 - a. Chairperson
 - i. Joanne Redding—approved 4/4
 - b. Co-Chairperson
 - i. Al Champion—approved 3/3
 - c. Secretary
 - i. George Seymour—3/3
 - d. Meeting Dates
 - i. Approved 4/4
 - e. Solicitor
 - i. Tom Panzer, Esquire—Approved 4/4
 - f. Court Reporter
 - i. Kim Birshner—Approved 4/4
 - g. Clerk and Fee
 - i. Nicole Hartman—Approved 4/4
 - ii. \$250 per meeting—Approved 4/4
 - h. Official Publication
 - i. Bucks County Courier Times—Approved 4/4
 - i. Hearing Officer
 - i. Rotated monthly—approved 4/4

6. Extension Request for Dauphine Building and Development, LP
 - a. Appeal Number: 2013-340
 - b. Location: 1282 Byberry Road
 - c. Tax Parcel Number: 02-033-108; 02-033-109; 02-033-109-1
 - d. Request: Extension of previously granted relief for proposed townhouses
 - e. Present
 - i. Mike McGuinness, Esquire—Representative
 - ii. Sandra DiNardo—Owner/Operator
 - f. Exhibits
 - i. A1-Extension Application
 - ii. A2-Minutes from May, 2020 Meeting
 - iii. A3-Continuation Letter
 - iv. A4—Brickhouse Letter
 - v. B1—2013 Decision Advertisement
 - g. Notes
 - i. Mike McGuinness came forward and stated that the applicant was in front of the Board in 2019 with Environmental Issues. A summary was submitted to the Board stating ground water contamination was found. Original company handling the contamination was GeoTech. Sandra Dinardo has since terminated relationship and hired Brick House Environmental to continue overseeing the issues. Sandra Dinardo is hoping for a resolution within the year.
 - h. Motion to Close Testimony
 - i. Motion to close—Harry Kramer
 - ii. Second to Motion to Close—George Seymour
 - iii. Vote to Close Testimony—4/4 Ayes
 - i. Vote for one year extension
 - i. 4/4 Ayes
7. Extension Request for JPH Realty, Inc and J.W. McGrath Organization LLC
 - a. Appeal Number: 2018-629
 - b. Location: Galloway and Richlieu Roads
 - c. Tax Parcel: 02-046-001
 - d. Request: Extension of time for previous granted variances
 - e. Exhibits
 - i. A1-Application with exhibits
 - ii. A2-Deed
 - iii. B1-Legal Advertisement
 - iv. B2-Denial letter
 - f. Notes
 - i. No zoning changes. Unable to continue due to Covid. Requesting a one (1) year extension to be in compliance of variances previously issued.
 - g. Motion for one (1) year extension. Deadline date of February 4, 2022
 - i. Motion granting extension—Harry Kramer
 - ii. Second to motion granting extension—George Seymour
 - h. Vote for one year extension

- i. 4/4 Ayes
- 8. Continued Hearing for Richard Schmitt
 - a. Appeal Number: 2020-3747
 - b. Location: 6416 Lewisville Avenue
 - c. Tax Parcel: 02-046-001
 - d. Request: Variance to construct garage larger than 25% of principal structure
 - e. Present: Richard Schmitt
 - f. Note
 - i. This hearing is a continuation of original hearing date, December 3, 2020. On December 3, 2020, the Board requested Mr. Schmitt to reduce size of shed. Richard Schmitt stands in front of the Board with new measurements. The shed will still be 30 x 30. The walls have been shortened to 12 feet and the peek is now 22 feet. The house is larger than other homes in the area. Will only have gravel—no driveway.
 - g. Audience
 - i. No one present for or against variance
 - h. Motion to Close Testimony
 - i. Motion to Close—Mike Brille
 - ii. Second motion to close—George Seymour
 - iii. Vote
 - 1. 4/4 Ayes
 - i. Motion to Approve variance
 - i. Motion to Approve—Mike Brille
 - ii. Second motion to approve—George Seymour
 - iii. Vote
 - 1. 4/4 Ayes
- 9. Continued Hearing for James Metts
 - a. Appeal Number: 2020-3749
 - b. Location: 3136 State Road
 - c. Tax Parcel: 02-068-016
 - d. Request: Variance to construct garage larger than 25% of principal structure
 - e. Exhibits:
 - i. A1—Application
 - ii. A2—Certificates of Service
 - iii. B1—Letter to Applicant
 - iv. B2—Proof of Publication
 - v. B3—Proof of Posting
 - f. Present:
 - i. James Metts
 - g. Notes
 - i. Mr. Metts wishes to tear down the present garage (14 x 28) and construct a bigger garage. Driveway apron will be expanded. New garage dimensions will be 3 bays. 14 foot and 12 foot. Need the first garage to be 14 feet high in order to have the garage door to raise straight up in order to have a storage area. Mr.

Metts has two (2) classic cars that he wishes to store. No intentions to do any work or restorations to the cars. Pictures of the two classic cars were submitted to the Board Members as proof that cars are complete. He would like to purchase a third classic car. The three (3) bays would also allow room for lawn mowers, and other lawn equipment that is being stored in the present garage. Mr. Metts stated that there are many commercial buildings in the area. The Gun Club is the only neighbor he has not spoken to. George Seymour inquired the size of the peak. Mr. Metts stated that the peak is 19 feet. George Seymour and Al Champion both inquired about a second story being built onto the garage. Mr. Metts stated there will be no second floor. Five neighbors were contacted and no one is in the audience for or against the requested variance. Tom Panzer suggested stipulations on the variance be incorporated to state that the garage will not be used to conduct commercial business, an in-law suit or additional residential dwelling. Mr. Metts agreed to not use the garage for commercial business, in-law suit or additional residential dwelling to be incorporated.

- h. Motion to Close Testimony
 - i. Motion to Close—Harry Kramer
 - ii. Second to motion to close—George Seymour
 - iii. Vote
 - 1. 4/4 Ayes
 - i. Motion to Approve
 - i. Motion to Approve—Harry Kramer
 - ii. Second to motion to approve—Mike Brille
 - iii. Vote
 - 1. 4/4 Ayes with stipulations
10. Continued Hearing for Michelle Miller
- a. Appeal Number: 2020-3942
 - b. Location: 1 Declaration Drive
 - c. Tax Parcel: 02-046-028-001 and 02-090-180-001
 - d. Request: Variance to use property as Veterinarian Facility/Clinic, Animal Rescue and Grooming, Dog Park, Accessory storage, Non-profit Thrift Store, Café and Community Center and 4 residential units
 - e. Exhibits:
 - i. A1-Plot Plan
 - ii. A2-Zoning Officer's Variance Identification Letter
 - iii. A3-Bucks County Tax Parcel Map (02-046-028-001)
 - iv. A4-Bucks County Parcel Map Aerial Photo (02-046-028-001)
 - v. A5-Bucks County Tax Parcel Map (02-090-180-001)
 - vi. A6-Bucks County Parcel Map Aerial Photo (02-090-180-001)
 - vii. A7- Deed
 - viii. A8-Google Earth Aerial Photo #1
 - ix. A9-Google Earth Street View #1
 - x. A10-Google Earth Street View #2

- xi. A11-Google Earth Aerial Photo #2
 - xii. A12-Color Key Plan
 - xiii. A13-Site Plan
 - xiv. A14-Floor Plans
 - xv. A15-Elevation Plans
 - xvi. A16-Dog Park Renderings
 - xvii. A17-Coffee Café Renderings
 - xviii. A18-Donation Summary Report
 - xix. A19-Application (previously entered into evidence as A1)
 - xx. A20-Certificates of Service (previously entered into evidence as A2)
 - xxi. B1-Letter to the Applicant (previously entered into evidence)
 - xxii. B2-Proof of Publication (previously entered into evidence)
 - xxiii. B3-Proof of Posting (previously entered into evidence)
- f. Present
- i. Shawn Ward, Esquire—Representative
 - ii. Michelle Miller—Applicant
 - iii. Chase Miller—Son of Applicant and Caretaker
- g. Notes
- i. This hearing is a continuation from the previous hearing in front of the Board on December 3, 2020. Exhibits were submitted and renumbered. Review of blueprints submitted. Unit one (1) and Unit two (2) will house the Thrift Store. Unit three (3) will be the grooming area. On the second story, accessible by separate entrance, are Units four (4) and unit (5). Unit four (4) will be the rescue and Unit five (5) will be the community center. Plans show additional doors added to the present structure and replacement of windows. The dog park will be for public use for large and small breed dogs. The dog park is anticipated to be a benefit to the community. The café is designed to help offset the cost associated with the maintaining the dog park. Applicant is willing to stipulate to Thrift Shop/Café/Community Center would be owner operated ONLY. Michelle Miller is the owner and operator of the said property; however, the property is listed as three (3) separate entities. The living quarters is only available for use by employees/volunteers of the non-profit. Outside the café will be a leash-holding area. Planning on serving coffee and possibly prepackaged states. The idea of the café, again, is a way of maintaining the care of the dog park and keep it financially sustainable. The clinic was able to donate \$50,000.00 to the rescue during the Covid shutdowns. Mr. Ward and Ms. Miller stated that they are open the café with an open flame restriction. Ken Farrell requested clarification if the café is an existing building. Ms. Miller stated “yes.” Ms. Miller also clarified that the Dog Park is new construction and the only new building was the vet clinic. The Community Center will be available to rent out for educational use. The Rescue houses the animals looking for adoption. Board acknowledge that the plans submitted during the present meeting are much better than the plans submitted previously. Reminded that U and O inspections will be needed. Board not certain whether

land development is needed since nothing new is being built. Volleyball area has been removed. Everyone present in the audience is in favor of the variances. Conditions placed upon the granting of the variances are: accessory to the rescue, must be owner and entity related operated and no open flame cooking in the café only. Approval through the Bridge Clinic (Main Entity). Rescue entity may be dissolved.

- h. Motion to Close Testimony
 - i. Motion to close—George Seymour
 - ii. Second to close—Mike Brill
 - iii. Vote
 - 1. 4/4 Ayes
 - i. Motion to Approve with stipulations
 - i. Motion to Approve—George Seymour
 - ii. Second to Approve—Harry Kramer
 - iii. Votes 4/4
11. Hearing for Elias Souza
- a. Appeal #: 2020-4066
 - b. Location: 1144 Dana Avenue
 - c. Tax Parcel: 02-029-207
 - d. Request: Variance for garage and greenhouse to exceed 25% of the area of the principal dwelling.
 - e. Continuance Requested
 - i. Continuation of Hearing to February 4, 2021 m
 - f. Motion to Continue Hearing to February 4, 2021
 - i. Motion to Continue—Harry Kramer
 - ii. Second to Continue—Mike Brille
 - iii. Vote
 - 1. 4/4 Aye
12. Hearing for Michael and Bernadette Gibbons
- a. Appeal #: 2020-4206
 - b. Location: 1117 Beverly Avenue
 - c. Tax Parcel: 02-062-474
 - d. Request: Variance for second floor addition to accessory structure
 - e. Exhibits
 - i. A1-Application
 - ii. A2-Certificate of Service
 - iii. B1-Letter to Applicant
 - iv. B2-Proof of Publication
 - v. B3-Proof of Post
 - f. Present
 - i. Michael Gibbons—applicant. (speaker on behalf of applicants)
 - ii. Bernadette Gibbons—co-applicant. (stayed seated in audience)
 - iii. George Wohlgemuth—Neighbor

g. Notes

- i. Mr. Gibbons wishes to add to his existing garage. He was denied the permit due to where the property line ended. Mr. Gibbons stated he wants to build directly over top of the pre-existing garage. He wants this area as a place for him to repair hunting and fishing equipment since he will be retiring, in the near future and to store the equipment in a more secure area. Yes the garage will have electric but does not have to add additional unit because it will be run-off of the pre-existing garage. No water is needed. There is a fence, gravel and dirt present. Mr. Gibbons stated that he like the concept after seeing a house in the surrounding area that looked like what he wants to construct and it sparked interest. Attic is a trust area and the ceiling of the construction would not be more than ten (10) feet. Windows would be added to the front. No windows will be in the rear. Roof will not have an overhang. It will go straight up. He reiterated that no windows will be added on the side or rear; however, there is one (1) rear window on the pre-existing garage that he plans on replacing. Tom Panzer, Esquire received clarity that there is no intension to use new construction for commercial, business, dwelling or cooking in that area. Mr. Gibbons confirmed with an answer of "No."

h. Audience Members For or Against

- i. Mr. George Wohlgemuth came forward against construction of additional garage.

1. Notes

- a. Mr. Wohlgemuth was sworn in and stated he had a list of concerns. He has resided in Bensalem since 1980. His fence is immediately two (2) feet from the structure. He reviewed plans and recently relandscaped his yard and believes that all that work will be compromised. He expressed concern about the 23 foot wall from his property line will block the sunlight from reaching his yard, possibly killing the trees he just had planted. He stated there is not much pervice which brings up the concern of water run-off. The Gibbons are now the third homeowners since 1980. One of the previous owners had land surveyed and Mr. Wohlgemuth stated with confidence that he knows where the property lines are. In defense, Mr. Gibbons stated, there is not any nor will there be additional water run-off. Mr. Gibbons stated that he consulted the records on file and is following what the records state. Al Champion asked Mr. Gibbons would be willing to get the land surveyed. Mr. Gibbons responded in the affirmative. The Board stated, in agreement, that the it is a big difference between one (1) and two (2) feet in regards to property lines. Tom Panzer, Esquire stated the Board is offering Mr. Gibbons the opportunity to get the land surveyed. Mr. Panzer also made Applicant aware that he will not be able to get the land surveyed within 30 days and

recommended continuing hearing to March 4, 2021. Mr. Gibbons accepted Mr. Panzler's recommendation and requested a continuance from the Board to March 4, 2021.

2. Motion to Continue Hearing to March 4, 2021
 - a. Motion to Continue—Harry Kramer
 - b. Second to Motion to Continue—Mike Brille
 - c. Vote
 - i. 4/4 Ayes
 3. End of Hearing notes
 - a. Tom Panzer, Esquire stated on record to those in the audience to write the date down because no notices will be issued. This hearing is their notice.
13. Hearing for Sri Gyatri Corporation (Arpan (Andy) Patel)
- a. Appeal: 2020-4159
 - b. Location: 4000 Bristol Pike
 - c. Tax Parcel: 02-076-070 and 02-076-074-01
 - d. Request: Variances to construct three story hotel with 75 rooms
 - e. Notes:
 - i. Request for Continuance to February 4, 2021
 - f. Motion for Continuance to February 4, 2021
 - i. Motion for Continuance—George Seymour
 - ii. Second for Motion for Continuance—Harry Kramer
 - iii. Vote
 1. 4/4 Ayes
14. Hearing For Lincoln Capital Partners, Inc.
- a. Appeal #: 2020-4167
 - b. Location: 3610 Old Lincoln Highway
 - c. Tax Parcel: 02-008-013
 - d. Request: Variances to have apartment or living quarters in the I-1 zoning district
 - e. Exhibits
 - i. A1-Application
 - A2-Certificates of Service
 - A3-Photograph
 - B1-Letter to the Applicant
 - B2-Proof of Publication
 - B3-Proof of posting
 - f. Present
 - i. Attorney Mike McGuiness—Representative
 - ii. Igor Bykov—Applicant
 - g. Notes
 - i. Mr. McGuiness, Esquire (also represented previous owner to the property) reminded the Board the location of the property is behind Horizon Blvd and the former owner's tenants were using property to park trucks. Mr. McGuiness stated that his client wishes to obtain a variance for a caretaker's residence.

Igor Bykov, owner and applicant was sworn in. Mr. Bykov purchased the property in September, 2020. Mr. Bykov stated that he owns and operates Easy Signs and he wishes to use property to open a small manufacturing operation. He also stated that he is presently working with land and development. The present structure on the property has a full bathroom and kitchen already present. He would like the variance to turn structure into a caretaker' residence for security purposes. Significant buffering is also present. Mr. Bykov stated he has no knowledge of any objections. There is no outdoor component and no knowledge of anything that would be detrimental to the township. Al Champion inquired whether the accessory business will be linked. Ken Farrell responded that inspection would be the same. The structure would be on record as a rental with a monthly rent amount set at \$0. Tom Panzer, Esquire stated, Code Enforcement can enforce due to the statute. Ken Farrell stated the Applicant met with the township to discuss what is allowed and what is not allowed. A caretaker on premise is needed to oversee the 7500 square foot with manufacturing. Signs will be stored on the premise and a 24 hour on premise caretaker will be needed for security. No one in the audience was present for or against the request for a variance.

- h. Motion to Close Testimony
 - i. Motion to Close—Harry Kramer
 - ii. Second to Motion to Close—George Seymour
 - iii. Vote
 - 1. 4/4 Ayes
 - i. Motion to Approve Request for Clarification strictly regarding caretaker residence
 - i. Motion to Approve—Harry Kramer
 - ii. Second to Approve—George Seymour
 - iii. Vote
 - 1. 4/4 Ayes
15. Hearing for Fusion Gym Grant Avenue, LLC
- a. Appeal Number: 2020-4201
 - b. Location: 3150 Knights Road
 - c. Tax Parcel: 02-037-078
 - d. Request: Variance to use property for truck parking.
 - e. Exhibits
 - i. A1- ZHB Application (Pre-marked in packet provided by Applicant)
 - ii. A2-Redacted Lease (Pre-marked in packet provided by Applicant)
 - iii. A3-Name Change Confirmation (Pre-marked in packet provided by Applicant)
 - iv. A4-Illustrative Photo Package (Pre-marked in packet provided by Applicant)
 - v. A5-Comparable Usage Reports (Pre-marked in packet provided by Applicant)
 - vi. A6-Application
 - vii. A7-Certificate of Service
 - viii. B1-Letter to Applicant
 - ix. B2-Proof of Publication
 - x. B3-Proof of Posting

- f. Present
 - i. Attorney Ameer Farrell—Representative
 - ii. Sadequr Chowdhury (Tony)—Owner/Operation
- g. Notes
 - i. Ameer Farrell, Esquire is representing Applicant in proceeding. Applicant is the owner and operator of Fusion Gym. Applicant signed into a lease with the owner of the property formally known as Mealey's Furniture located at Street and Knight's Road. The store front of the former Mealey's Furniture faces Tucker Road. The Applicant wishes to utilize the property turning the building into an express gym and warehouse. The express gym would include equipment such as free weights, nautilus machines, treadmills, etc. Applicant has no intention offering any classes, massages or tanning beds which competitors in the area offer. Applicant would have hours of operation set as follows: Monday through Friday 5:00 A.M. to _____ and Saturday and Sunday 7:00 A.M. to 7:00 P.M. Applicant stated that no more than two to three (2-3) employees will be on premise at any given time. Due to Covid shutdowns applicant thought outside the box and decided to go into online retail selling exercise equipment for people to use in their home. The express gym would be located on a portion of the building. The other portion will be a warehouse for the merchandise individuals ordered on-line and awaiting delivery to individual's home. Ms. Farrell and applicant are of the belief that there is more than ample amount of parking already available. Referencing exhibit A5, Ms. Farrell, explained that at the Knorr Street, Philadelphia location on February 1, 2020, fourteen (14) patrons frequented the facility over the entire day and February 3, 2020, Forty (40) patrons frequented the facility over the course of the entire day. Based on trend and the total of three (3) employees (2 gym employees and 1 warehouse employee) is enough to prove that there is more than enough parking available. Tony Chowdhury, the owner/operator of the gym was sworn in and confirmed summary provided by Ms. Ameer Farrell, Esquire. Al Champion inquired whether or not the entire facility will be used. Mr. Chowdhury responded in the affirmative. George Seymour inquired whether or not online sales have started. Mr. Chowdhury stated sales have started. George Seymour inquired if it is working well. Mr. Chowdhury stated yes. Ken Farrell stated that competitors, such as Planet Fitness and Crunch Fitness, requested the same variance. No variance is needed for parking, because there is well over the necessary amount of parking required. No further questions and no one present in the audience for or against the request for the variance.
- h. Motion to Close Testimony
 - i. Motion to Close—George Seymour
 - ii. Second to Motion to Close—Harry Kramer
 - iii. Vote
 - 1. 4/4 Ayes
- i. Motion to Approve Variance
 - i. Motion to Approve—George Seymour

- ii. Second Motion to Approve—Harry Kramer
- iii. Vote

- 1. 4/4 Aye

16. Hearing for National Restaurant Designers (NRD) Brian Jones A/A

- a. Appeal Number: 2020-4208
- b. Location: 1465 Street Road
- c. Tax Parcel: 02-071-242-002
- d. Request: Variance for impervious surface coverage for an exterior patio seating area.
- e. Exhibits
 - i. A1-Application
 - ii. A2-Certificate of Service
 - iii. B1-Letter to the Applicant
 - iv. B2-Proof of Publication
 - v. B3-Proof of Posting
- f. Present
 - i. Attorney Mike McGuinness—Representative for Applicant
 - ii. Jon. Kornblau—Applicant/Owner and operator for Golden Corral
- g. Notes
 - i. Family owned and operated restaurant that was forced to close due to Covid. Applicant is trying to evolve and grow business to accommodate the Covid changes. Applicant is requesting an impervious increase of two percent (2%) to what is currently existing. Applicant is attempting to obtain a liquor license and also attempting to expand to provide outdoor dining. Golden Corral is known as a buffet style restaurant. Consumers do not look to Golden Corral for “to-go” food. Business is down ninety percent (90%). Applicant has no intention of leaving the area. Applicant is very committed to the area and is very active within the community. Applicants wishes to continue to be able to do business. Applicant wishes to add 16 tables. Applicant will be removing the front grass area and constructing outdoor dining in that area. Applicant is also open to the idea of exploring ala carte dining for individuals seated in outdoor dining area. The state of Pennsylvania invoked a statewide shutdown for restaurants after Thanksgiving with a statewide reopening date of January 4, 2021. Applicant decided not to reopen to the public on January 4, 2021. Instead, Applicant decided to add fresh paint and have the restaurant deep cleaned and sanitized. Applicant did not have the “heart” to lay off the staff three (3) weeks before Christmas. This was a way for him to update and sanitize the restaurant and not lay off the staff. No one present in the audience for or against the variance request.
- h. Motion to Close Testimony
 - i. Motion to Close—Harry Kramer
 - ii. Second to Close—George Seymour
 - iii. Vote
 - 1. 4/4 Ayes
- i. Motion to Approve Variance

- i. Motion to Approve—Harry Kramer
- ii. Second to Approve—Mike Brille
- iii. Vote

1. 4/4 Ayes

17. Hearing for Anthony Oelschlegal

- a. Appeal Number: 2020-4169
- b. Location: 3349 West End Avenue
- c. Tax Parcel: 02-008-013
- d. Request: Variances for lot area, lot width and density to subdivided residential lot.
- e. Exhibits
 - i. A1-Application
 - ii. A2-Certificate of Service
 - iii. A3-Map of non-conforming lots in the area
 - iv. A4-Spreadsheet of lots in surrounding area
 - v. A5-Aerial picture of home and homes in the area.
 - vi. B1-Letter to Applicant
 - vii. B2-Proof Publication
 - viii. B3-Proof of Posting
- f. Present
 - i. Attorney, Bryce McGuigan—Applicant’s Representative
 - ii. Anthony Oelschlegal—homeowner
 - iii. Wayne Kieffer—Engineer
 - iv. Mark Allen—Audience Member
 - v. Amethyst Bush—Audience Member
- g. Public Comment
 - i. Tom Panzer, Esquire announces the township received an email with objections and signed by approximately 14 residents.
- h. Notes
 - i. Mr. McGuigan stated that the applicant owns a single-family home in Trevoze which he purchased 2016. Applicant has been renovating this home, built in 1899, since he moved into the residence in 2016. Home was built askew on a lot which is larger than other lots. Applicant received letters from the township and fire marshals regarding no issues with the subdivision. Applicant does not believe there is any negative impact on the community. Applicant wishes desire to live in the home. Applicant is not a “house flipper” or real estate developer. Applicant is simply refurbishing/restoring a historical home in order to save the home from being demolished. There is an additional dwelling on the property lot. Applicant has any knowledge to any concerns from the neighbors. Applicant states that no neighbors spoke to him or addressed any concerns to him. The house is two and one tenth (2.1) feet from the property line. There is a subdivision. Applicant wishes to remove the detached garage and construct a single-family dwelling. Applicant expresses no concern regarding storm water run-off. The dwelling would be consistent with the surrounding properties. The property would be less dense than the surrounding area. Mike Brille raised the

question as to whether or not the applicant is making a comparison with dwelling built eighty-ninety (80-90) years ago, prior to the zoning laws. According to Mr. Oelschlegel, the property was originally five (5) lots. Mr. Kieffer, stated the property, according to the records, is/was two (2) lots, If it were five (5) lots it is not on record and could have been prior to the parcel numbers being assigned.

- i. Audience Concerns
 - i. Mark Allen stepped forward. Mark Allen resides at 3405 West End Avenue in Trevoze. Mr. Allen has resided at this address for 32 years. He stated the 14 neighbors who objected via email did so because they were unable to attend due to Covid. Mr. Allen claims storm water is a problem and the reason the property has not been subdivided prior is because the lot is too small.
 - ii. Amethyst Bush stepped forward. Ms. Bush is curious as to why applicant wishes to subdivide when last year he was trying to obtain variances to have apartments on property. Ms. Bush wanted to know why the change. Mr. Oelschlegel responded by stating he is exploring ideas of what to do with this property. He expressed that he plans to die in the home.
 - iii. No other questions or comments from audience
 - j. Motion to Close Testimony
 - i. Motion to Close—Mike Brill
 - ii. Second to Motion to Close—George Seymour
 - iii. Vote
 1. 4/4 Ayes
 - k. Motion to Deny variance
 - i. Motion to Deny—Mike Brille
 - ii. Second to Motion to Deny—George Seymour
 - iii. Vote
 1. 4/4 Ayes
18. Hearing for B & A Property LLC
- a. Appeal Number: 2020-4124
 - b. Location: 4220 Bristol Road
 - c. Tax Parcel: 02-017-114-001
 - d. Request: Variances to use property for truck parking
 - e. Continuance Requested
 - i. Continuation to hearing date February 4, 2021
 - f. Motion to Continue Hearing to February 4, 2021
 - i. Motion to Continue—Harry Kramer
 - ii. Second to Motion to Continue—Mike Brille
 - iii. Vote
 1. 4/4 Ayes
19. Hearing for LIDL US Operations, LLC
- a. Appeal Number: 2020-4184
 - b. Location: 4007-37 Hulmeville Road
 - c. Tax Parcel Number: 02-041-021; 02-041-022; and 02-041-022-001

- d. Request: Variance to you property for a Grocery Store, variances for buffer area, impervious coverage and sign area
 - e. Continuance Requested
 - i. Continuation of Hearing to February 4, 2021
 - f. Motion to Continue Hearing to February 4, 2021
 - i. Motion to Continue—Harry Kramer
 - ii. Second to Motion to Continue—Mike Brille
 - iii. Vote
 - 1. 4/4 Ayes
20. Correspondence
- a. No correspondences mentioned
21. Adjournment
- a. Motion to Adjourn—Mike Brille
 - b. Second Motion to Adjourn—George Seymour
 - c. Vote
 - i. 4/4 Aye